

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: MICHAEL J. POLLACK AND	:	
ELAINE G. POLLACK	:	CHAPTER 7
	:	
NATIONSTAR MORTGAGE LLC	:	
D/B/A MR. COOPER	:	
Creditor/Movant	:	
	:	No. 17-18146-amc
vs.	:	
	:	
MICHAEL J. POLLACK	:	
AND	:	
ELAINE G. POLLACK	:	
Debtors	:	
	:	
and	:	
	:	
GARY F. SEITZ	:	
Trustee	:	

**STIPULATION RESOLVING TRUSTEE'S OBJECTION
TO NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER'S MOTION FOR
RELIEF**

Gary F. Seitz, the Chapter 7 trustee (the "Trustee") for the estates of Michael J. Pollack and Elaine G. Pollack and NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER ("Cooper") (collectively, the "Parties"), by and through their undersigned counsel, hereby enter into this stipulation (the "Stipulation"), and agree as follows:

RECITALS

WHEREAS, on December 4, 2017, Debtors filed a voluntary petition under Chapter 7 of Title 11 of the United States Code;

WHEREAS, Cooper holds a first mortgage ("Cooper Mortgage") against Debtors' residence located at 2089 N. Line Street, Lansdale, Pa ("Line Street");

WHEREAS, on or about January 11, 2018, Cooper filed a Motion for Relief from the Automatic Stay (the "Motion") in order to proceed with a foreclosure action against the Line Street property;

WHEREAS, the Trustee has filed an objection (the "Objection") to Cooper's Motion;

WHEREAS, the Parties have now reached an agreement resolving the Objection and the relief requested in the Motion;

NOW, THEREFORE, the Parties, intending to be legally bound hereby stipulate and agree as follows:

AGREEMENT

- 1.) The Trustee shall have until July 8, 2018 to enter into an Agreement of Sale (the "Agreement of Sale") to sell the Line Street property.
- 2.) In the event the Trustee fails to deliver a fully executed copy of the Agreement of Sale to Cooper's attorney via e-mail by 11:59 PM on July 8, 2018, Cooper may file a Certification of Default of this Stipulation with the Court and the Court shall enter an Order granting Cooper relief from the automatic stay without further hearing.
- 3.) In the event the Trustee enters into an Agreement of Sale prior to any future sheriff's sale of the Line Street property, Cooper agrees to consider accepting the proceeds of the proposed sale in lieu of proceeding with the sheriff's sale. Cooper, however, has the right to reject the proceeds from the proposed sale if Cooper, in his sole discretion, determines that the proceeds are insufficient.

4.) This Stipulation may be executed in counterparts and may be delivered by e-mail. Any copy so executed and delivered (including delivery by e-mail), when taken with another executed copy, shall be considered and deemed an original hereof.

AGREED TO THIS _____ DAY OF MARCH, 2018.

/s/ Kevin McDonald
Kevin McDonald, Esquire
Attorney for NATIONSTAR MORTGAGE
LLC D/B/A MR. COOPER

/s/ Holly S. Miller
Holly S. Miller, Esquire
Attorney for Gary F. Seitz,
Chapter 7 Trustee

Approved by the Court this _____ day of _____, 2018. However, the court retains discretion regarding entry of any further order.

Bankruptcy Judge
Ashely M. Chan

